

REMARKS

The Office Action dated March 9, 2006, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 13-24 are canceled. Claims 1-12 are pending and respectfully submitted for consideration. Reconsideration of the application is respectfully requested for the following reasons:

Rejection of Claims 1-12 Under 35 U.S.C. §103(a)

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Juskey et al. (U.S. Patent No. 6,356,453) in view of Koyanagi (U.S. Patent Publication No. 2005/0029643) and further in view of Watanabe et al. (U.S. Patent No. 6,791,193).

Claims 2-3 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Juskey et al. in view of Koyanagi and Watanabe et al. and further in view of Hayasaka et al. (U.S. Patent No. 6,809,421).

Claims 4 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Juskey et al. in view of Koyanagi and further in view of Watanabe et al.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Juskey et al. in view of Koyanagi and Watanabe et al. and further in view of Taniguchi et al. (U.S. Patent No. 6,404,062).

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Juskey et al. in view of Koyanagi and further in view of Watanabe et al.

Claims 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Juskey et al. in view of Koyanagi and Watanabe et al. and further in view of Peterson et al. (U.S. Patent No. 6,809,413).

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Juskey et al. in view of Koyanagi and Watanabe et al. and further in view of Katagiri et al. (U.S. Patent Publication No. 2003/0111737).

In response to this rejection, Applicants submit herewith a verified translation of the certified copy of the foreign priority application for claiming the benefit of filing date thereof with a statement that this translation is accurate. The certified copy was filed with the application on December 15, 2003 and receipt thereof was acknowledged in the Office Action. Applicants therefore rely upon their foreign priority to overcome these rejections. This application should be entitled to the benefit of the filing date of the foreign priority application under 35 U.S.C. § 119 and 37 C.F.R. § 1.55 and the withdrawal of this rejection is respectfully requested.

Particularly, the present invention has an effective U.S. invention date of December 19, 2002, based on Taiwanese Patent Application No. 091136733. The Koyanagi reference was filed as a PCT application on November 5, 2002, and was published in the Japanese language on May 15, 2003, after the earliest effective filing date of the present invention. The PCT filing date of Koyanagi is not the effective filing date thereof since this reference was not published in English. Therefore, the teaching of Koyanagi is not a valid reference under any section of 35 U.S.C. §102 and thus cannot be used in a rejection under 35 U.S.C. §103(a).

Moreover, the effective U.S. invention date of December 19, 2002, based on Taiwanese Patent Application No. 091136733 of the present invention is also prior to the U.S. effective filing date of the Watanabe et al. reference filed in the U.S. Patent and Trademark Office on March 5, 2003. Therefore, the teaching of Watanabe et al. is not a valid reference either under any section of 35 U.S.C. §102 and thus, cannot be used in a rejection under 35 U.S.C. §103(a).

In view of the above, As such, the Applicants respectfully request withdrawal of the rejections of claims 1-12 in view of Koyanagi and Watanabe et al.

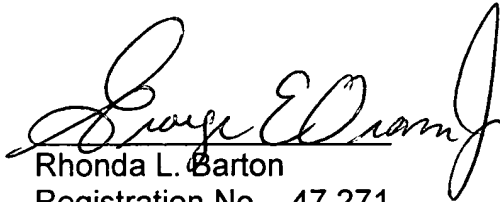
Conclusion

In view of the above, Applicants respectfully submit that claimed invention is patentable over the cited references. Accordingly, the Applicants respectfully request withdrawal of the rejections, allowance of claims 1-12 and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 025796-00014.**

Respectfully submitted,


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Enclosures: Verified Translation of Priority Document
Statement of Accuracy